

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY FASULO, et ano.,

Plaintiff(s),

19-cv-3741 (PKC)

-against-

SCHEDULING ORDER

XTRADE DIGITAL ASSETS INC., et al.,

Defendant(s).

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CASTEL, District Judge:

WHEREAS, defendants have expressed an intent to move to dismiss the complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P.

WHEREAS, plaintiffs have twice amended their complaint, including in response to a five-page single-spaced pre-motion letter detailing the purported deficiencies in the First Amended Complaint that was then followed by the filing of a Second Amended Complaint.

NOW, therefore, the following is ORDERED:

1. Defendants may file their motion to dismiss by August 22, 2019.

Plaintiffs may respond to the motion by September 23, 2019. Defendant may reply by October 7, 2019.

2. Rule 16(b)(3)(A) provides that a Court's "scheduling order must limit the time to . . . amend the pleadings. . ." Pursuant to that authority, the Court hereby limits the time to amend the complaint as of right or move to amend no later than 21 days from the filing of the motion to dismiss.

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3. Discovery is stayed pending further Order of this Court.

SO ORDERED.



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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
July 29, 2019